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**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA**

ELIZABETH LEASING, LLC,
 a Colorado Limited Liability Company,

Plaintiff,

v.

UNITED STATES CUSTOMS AND
 BORDER PROTECTION,

Defendant/Respondent.

2:20-CV-191-GMN-VCF

**United States Customs and
 Border Protection's Unopposed
 Motion to Toll Civil and
 Statutory Deadlines**

(Second Request)

This is the Second Unopposed Motion to Toll Civil and Statutory Deadlines. The United States Customs and Border Protection (CBP), with the consent of Plaintiff Elizabeth Leasing, LLC, respectfully requests that this Court toll any and all party filing deadlines and court statutory decision deadlines for an additional sixty days, to and including July 25, 2020, a Saturday, such that the new filing deadline would be July 27, 2020.

This Motion is made pursuant to Local Rule LR IA 6-1, Fed. R. Civ. P. 6(b)(1) and 12(a)(2), and 18 U.S.C. § 983(f)(5). The grounds for this Motion are: (1) Plaintiff has initiated a civil action against CBP for interest, costs, and attorney's fees related to a currency seizure that took place in Las Vegas, Nevada in November 2018; (2) the parties are currently engaged in settlement negotiations; (3) although Plaintiff continues to be represented by the same law firm (The Wright Law Group), the lead attorney has changed

(from Christopher B. Phillips to John Henry Wright); (4) although the parties disagree about whether the current controlling deadline is for CBP to file a civil answer or for the Court to render a decision on Plaintiff's civil action, they agree that there is a reasonable likelihood that this matter will be resolved without further litigation; and (5) tolling any and all party filing deadlines and court statutory decision deadlines for sixty days stands to save the parties and this Court substantial time and resources. The current deadline for CBP to file a civil answer, if that is the controlling deadline, is May 26, 2020.

DATED this 19th day of May 2020.

Respectfully submitted,

NICHOLAS A. TRUTANICH
United States Attorney

/s/ James A. Blum
JAMES A. BLUM
Assistant United States Attorney

MEMORANDUM OF POINTS AND AUTHORITIES

In November 2018, CBP seized \$72,000.00 in United States currency from Dana Gignac, an employee of Plaintiff. The United States Attorney's Office declined to pursue a civil action for forfeiture in rem of the \$72,000 and returned the property to Plaintiff. In January 2020, Plaintiff filed a civil action for the payment of interest, costs, and attorney's fees. Since that time, the parties have been engaged in settlement negotiations.

On March 26, 2020, Defendant filed its First Unopposed Motion to Toll Civil and Statutory Deadlines. ECF No 7. The Court granted that Motion on April 7, 2020. ECF No. 9.

CBP submits that good cause exists for this Court to toll any and all party filing deadlines and court statutory decision deadlines for sixty days because (1) the parties believe that an additional sixty-day period will allow them to conclude their settlement negotiations; and (2) allowing the parties to attempt to settle this matter without further litigation stands to save the parties and this Court substantial time and resources. Since

1 Defendant submitted its First Motion, a different attorney has assumed responsibility for
2 this matter in the law firm representing Plaintiff. Counsel for CBP (Assistant United States
3 Attorney James A. Blum) and counsel for Plaintiff (John Henry Wright, on behalf of The
4 Wright Law Group) have discussed this matter, and the parties agree to the proposed
5 tolling of any and all deadlines for sixty days.

6 This Motion is not submitted solely for the purpose of delay or for any other
7 improper purpose.

8 WHEREFORE, CBP respectfully requests that this unopposed Motion be granted
9 and that any and all deadlines be tolled for an additional sixty days, to and including July
10 25, 2020, a Saturday, such that the new filing deadline would be July 27, 2020.

11 DATED this 19th day of May 2020.

12 Respectfully submitted,

13 NICHOLAS A. TRUTANICH
14 United States Attorney

15 /s/ James A. Blum
16 JAMES A. BLUM
17 Assistant United States Attorney

18 IT IS SO ORDERED:

19 

20

UNITED STATES MAGISTRATE JUDGE

21 5-27-2020

22 DATED: _____